

EXHIBIT 3

Bryson, Santana and Joshua v. Rough Country, LLC

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF GEORGIA
GAINESVILLE DIVISION

SANTANA BRYSON and JOSHUA)
BRYSON, as adminsitrators of)
the Estate of C.Z.B. and as)
surviving parents of C.Z.B., a)
deceased minor.,)
PLAINTIFF,)
VS.) CASE NO.: 2:22=CV=017-RWS
ROUGH COUNTRY LLC,)
DEFENDANT.)
_____)

REPORTER'S TRANSCRIPT OF PROCEEDINGS
FRIDAY, MAY 5, 2024

APPEARANCES:

FOR THE PLAINTIFF:

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(Appearances continued next page.)

REPORTED BY: JUSTUS BALENTINE, CSR 13859

1 the right.

2 Q. Well, can we do it on this one as well?

3 A. Well, this is what pushed forward on the seat
4 and moved the head restraint adjustment knob forward,
5 which hit his head, so no, not exactly. It's all --

6 Q. Okay. Wait. I'm confused.

7 A. -- stacked up.

8 Q. Can you explain to me what -- it's your
9 opinion -- what your opinion is that happened, how the
10 injury happened?

11 A. Yes. The truck comes in, the F250 comes in,
12 deforms the liftgate, deforms and breaks whatever's in
13 the cargo area, pushing all that forward, pushes the
14 Row 2 left seat forward, which rotates counter clockwise.

15 The plastic belt guide for the No. 5 belt
16 interacts with the child safety seat in the area that
17 we're looking at right now, where the deformation is of
18 the polymer.

19 Right in front of that all being pushed forward
20 with all this stuff behind it including a truck is the
21 head restraint adjustment knob on the right side, and all
22 of that goes into a Master Cohen's head, about his right
23 ear, right behind his right ear, causing the depressed
24 skull fracture, causing the brain injury, causing the
25 basilar skull fracture, causing the atlanto-occipital

1 Are those the things you're going to testify in
2 relation to the Exponent test?

3 A. I mean, like we talked about before, I'm not
4 going to talk about forces in terms of pounds or newtons
5 or anything like that, so I would better characterize it
6 as noted in my report.

7 So what I will testify about is that injury
8 causation would have -- you know, the same injury outcome
9 would have occurred for Cohen Bryson whether -- in an
10 unlifted -- let me start over.

11 The same injury outcome would have occurred for
12 Cohen Bryson whether or not Mr. Elliott's truck were
13 lifted or not.

14 Q. And how -- can you give me like a short summary
15 of how the crash test informs your opinions about what
16 happened during the crash?

17 MR. HILL: Object to the form, but go ahead.
18 You can answer.

19 THE WITNESS: So our crash test at Exponent
20 doesn't really help us understand what happened during
21 the subject crash because of the independent variable of
22 no lift kit in the Exponent test. So it doesn't because
23 it's a different crash.

24 Q. Okay. And your disclosure says that you relied
25 on the crash reconstructions and simulations. What are

1 you talking about there?

2 A. Likely Mr. -- is it Rocha? I'm sorry. I don't
3 remember his name.

4 Q. Rosch?

5 A. Thank you. I think did some simulations, but I
6 didn't really rely upon those. I certainly reviewed
7 them, but more I'm relying on the crash reconstruction.

8 Q. Okay. Did the defense experts do any crash
9 simulations?

10 A. Unless we're going to call the Exponent crash
11 testing a simulation, but not like Mr. Rosch did.

12 Q. Okay. I think you're thinking of Mr. Buckner?

13 A. Okay. You're probably right. Sorry about that,
14 Buckner.

15 Q. All right. What defense experts are you relying
16 on to form your opinion?

17 A. Mr. Wes Grimes and Mr. Charlie Crosby. Unless
18 you asked me something you haven't asked me yet, I don't
19 think Mr. Pasquerella.

20 Q. Was there something I need to ask you about
21 Mr. Pasquerella?

22 A. I don't think so, but those are the only defense
23 experts I know of, so I would have to consider him if you
24 asked me something about what he said, but I rely upon
25 Crosby and Grimes.

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1 STATE OF CALIFORNIA)
2) ss.
3 COUNTY OF ALAMEDA)
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6 I, JUSTUS BALENTINE, Certified Shorthand
7 Reporter No. 13859, hereby certify that the foregoing
8 proceeding was taken by me at the time and place herein
9 set forth;

10 That the said proceeding was taken down by me
11 in shorthand and thereafter transcribed under my
12 direction and supervision, and I hereby certify the
13 foregoing proceeding is a full, true, and correct
14 transcript of my shorthand notes so taken;

15 That dismantling this transcript will void the
16 certification by the Certified Shorthand Reporter.

17 I further certify that I am neither counsel for
18 nor am I in any way related to any party to said action,
19 nor am I in any way interested in the outcome thereof.

20 IN WITNESS WHEREOF, I have subscribed my name
21 this 17th day of June, 2024.

22
23 
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25 JUSTUS BALENTINE, CSR NO. 13859